

Rec'd PCT/PTO 12 AUG 2005

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

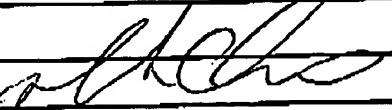
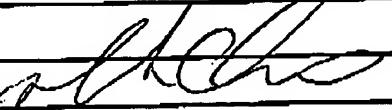
Total Number of Pages in This Submission 8

Attorney Docket Number 3057USOP

## ENCLOSURES (Check all that apply)

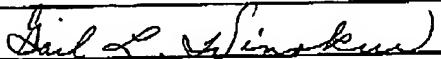
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Return Postcard; Petition to Revive
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 500799.		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature			
Printed name	Mark Chao, Ph.D., JD		
Date	8/12/05	Reg. No.	37,293

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Gail L. Winokur		Date 8/12/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete. Including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-04)

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FEE TRANSMITTAL  
for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 4,950.00)

## Complete if Known

Application Number	10/518,184
Filing Date	12/16/2004
First Named Inventor	Tatsuya Watanabe
Examiner Name	tba
Art Unit	tba
Attorney Docket No.	3057US0P

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number

Deposit Account Name

500799

Takeda Chemical Ind. Ltd.

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments
   
 Charge any additional fee(s) or any underpayment of fee(s)
   
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 780	2001 395	Utility filing fee	1000
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 780	2004 396	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$ 1000)			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims 15	-20* = 5	X 18 =	2400
Multiple Dependent	- 3** = 12	X 200 =	300

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 3400.00)		

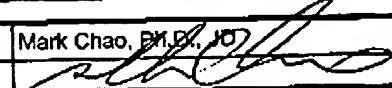
\*or number previously paid, if greater. For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity | Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 2051	65 Surcharge - late filing fee or oath	
1052 50	2052 2052	25 Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	130 Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 2251	55 Extension for reply within first month	
1252 430	2252 215	115 Extension for reply within second month	
1253 980	2253 490	290 Extension for reply within third month	
1254 1,530	2254 785	785 Extension for reply within fourth month	
1255 2,080	2255 1,040	1,040 Extension for reply within fifth month	
1401 340	2401 2401	170 Notice of Appeal	
1402 340	2402 2402	170 Filing a brief in support of an appeal	
1403 300	2403 2403	160 Request for oral hearing	
1451 1,510	1451 1,510	1,510 Petition to Institute a public use proceeding	
1452 110	2452 2452	55 Petition to revive - unavoidable	
1453 1,330	2453 685	685 Petition to revive - unintentional	1,500.00
1501 1,370	2501 685	685 Utility issue fee (or reissue)	
1502 490	2502 245	245 Design issue fee	
1503 660	2503 330	330 Plant issue fee	
1460 190	1460 130	130 Petitions to the Commissioner	
1807 50	1807 1807	50 Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	180 Submission of Information Disclosure Stmt	40.00
8021 40	8021 40	40 Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	395 Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	395 For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	395 Request for Continued Examination (RCE)	
1802 900	1802 900	900 Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			
SUBTOTAL (3) (\$ 1,540.00)			

(Complete if applicable)

SUBMITTED BY	Mark Chao, P.H.D., JD	Registration No. (Attorney/Agent)	37,293	Telephone	847-383-3372
Signature				Date	8/12/05

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

PAGE 3/6 \* RCVD AT 8/12/2005 12:34:35 PM [Eastern Daylight Time] \* SVR:USPTO-EFXRF-6/26 \* DNI:2738300 \* CSID:18473833409 \* DURATION (mm:ss):02-08

The PTO did not receive the following listed item(s)

~~NO ASSIGNMENT received~~

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PTO/SB/84 (09-04)  
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)Docket Number (Optional)  
3057 USOP

First named inventor: Tatsuya WATANABE

Application No.: 10/518,184

Art Unit: tba

Filed: December 18, 2004

Examiner: tba

Preventing/Treating Agent for Bone or Joint Disease  
Title:Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX (703) 872-9306NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or  
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration  
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

## APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

## 1. Petition fee

Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

## 2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of authorization to charge filing fees (identify type of reply):

has been filed previously on \_\_\_\_\_  
 is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_.  
 has been paid previously on \_\_\_\_\_.  
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/64 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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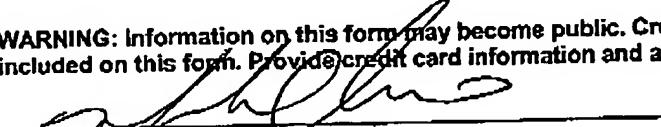
## 3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

## 4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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Signature8/12/05  
Date

Mark Chao, Ph.D., JD

Typed or printed name

Registration Number, if applicable

Takeda Pharmaceuticals North America, Inc.

Address

(847) 383-3372

Telephone Number

475 Half Day Road, Lincolnshire, IL 60069

Address

Enclosures:  Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306. 571-273-8389.

8/12/2005  
Date  
Signature

Gail L. Winokur

Typed or printed name of person signing certificate

AUG 12 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:	10/518,184	Art Unit:	tba
Filed:	December 16, 2004	Examiner:	tba
1 <sup>st</sup> Inventor:	Tatsuya WATANABE	Allowed:	
For:	Preventing/Treating Agent for Bone or Joint Diseases	Batch:	
Atty. Dkt. No.	3057 USOP	Paper No.:	

REPLY TO NOTICE OF ABANDONMENT  
REQUEST FOR REVIVAL OF APPLICATION –  
UNINTENTIONALLY ABANDONED

**MAIL STOP PETITION**  
 Commissioner for Patents  
 P.O. Box 1450  
 Arlington, VA 22313-1450

Sir:

In Reply to a Notice of Abandonment mailed August 1, 2005, Applicant respectfully submits a petition to revive and authorization to charge the appropriate missing filing fees and petition fees to our USPTO Deposit Account Number 500799.

A Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission under 35 U.S.C. 371 was mailed by Express Mail on December 16, 2004, including all required papers.

While the fee amount was entered, the check box No. 21b was inadvertently and unintentionally left unchecked and thus the filing fees were not paid via our deposit account. Thus the application became unintentionally abandoned.

Respectfully submitted,



Mark Chao, Ph.D., Reg. No. 37,293  
 Elaine M. Ramesh, Ph.D., Reg. No. 43032  
 Attorney for Applicants  
 Customer No. 23115

Dated: August 12, 2005

(847)383-3372  
 (847)383-3391

Takeda Pharmaceuticals North America, Inc.  
 Intellectual Property Department  
 475 Half Day Road  
 Lincolnshire, IL 6069 USA